

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL ACTION NO. 5:14-CV-139-DCK**

**PLS INVESTMENTS, LLC,**

**Plaintiff,**

**v.**

**OCWEN LOAN SERVICING, LLC; HSBC  
BANK USA, NATIONAL ASSOCIATION, as  
Trustee For Fremont Home Trust 2004-B  
Asset Backed Certificates, Series 2004-B; and  
REAL HOME SERVICES AND  
SOLUTIONS, INC.,**

**Defendants.**

**ORDER**

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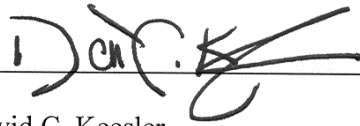
**THIS MATTER IS BEFORE THE COURT** on “Defendants’ Motion To Strike Plaintiff’s Designated Expert Witness” (Document No. 46) filed August 22, 2016. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review of this motion is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion as moot.

In short, Defendants’ pending motion requests that the Court enter an Order striking Susan McMinn as an expert witness for Plaintiff PLS Investments, LLC. (Document No. 46, p.4). The pending motion does not appear to indicate whether the parties consulted as required by Local Rule 7.1 (B). However, Plaintiff filed a “Withdrawal Of Expert Witness Designation” (Document No. 48) on September 1, 2016, stating that Plaintiff “withdraws its designation of Susan McMinn as an expert witness in this action.” As such, it appears that the pending motion is now moot.

**IT IS, THEREFORE, ORDERED** that “Defendants’ Motion To Strike Plaintiff’s Designated Expert Witness” (Document No. 46) is **DENIED AS MOOT**. Susan McMinn is no longer designated as an expert witness in this action. See (Document No. 48)

**SO ORDERED.**

Signed: September 1, 2016

  
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David C. Keesler  
United States Magistrate Judge

